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RUEHNT/AMEMBASSY TASHKENT 0197
RUEHTA/AMEMBASSY ALMATY 0118
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RUEHAH/AMEMBASSY ASHGABAT 0198
RUEHCI/AMCONSUL KOLKATA 1181
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C O N F I D E N T I A L SECTION 01 OF 02 DHAKA 000258

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SUBJECT: PROMINENT HUMAN RIGHTS ADVOCATE DISCUSSES CURRENT
SITUATION IN BANGLADESH

REF: DHAKA 250

Classified By: Charge d'Affaires a.i. Geeta Pasi; reasons 1.4(d)

¶1. (C) SUMMARY. Elena Khan, a barrister and current head of the Bangladesh Society for the Enforcement of Human Rights (BSEHR), discussed the current state of affairs in Bangladesh and her own personal legal concerns. She expressed concern for the health of BSEHR's incarcerated former secretary general Sigma Huda, and discussed her organization's preliminary investigation into the recent death in custody of a local Dhaka ward commissioner. END SUMMARY.

DENIAL OF BAIL A LINGERING PROBLEM

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¶2. (C) Elena Khan, secretary general of the Bangladesh Society for the Enforcement of Human Rights (BSEHR), one of Bangladesh's most prominent human rights organizations, recently discussed the current human rights situation with POLOFF. Khan expressed concern about the denial of bail to corruption suspects under the state of emergency's Emergency Powers Rules, though she said a "small positive" was the government's decision last fall to lift the bail prohibition for family members accused of abetting corruption. (NOTE: Earlier in the state of emergency, this provision had resulted in the jailing of the cancer-stricken wife of one politician, and the 16-year old daughter of another. END NOTE.)

CONCERN FOR SIGMA HUDA

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¶3. (C) Khan herself has been charged with corruption and extortion, though since she was not charged under the Emergency Powers Rules she was granted bail. Sigma Huda, the president of BSEHR and a close associate of Khan's, has been convicted on extortion and bribery charges and is currently undergoing another trial. Khan said she was concerned about Huda's health. (Reftel) BSEHR has a close working relationship with the Inspector General of Prisons (IGP), with whom it implements several prison training programs. Khan raised the issue of Huda's deteriorating medical condition with the IGP. According to Khan, the IGP wants to move Huda into a medical facility for treatment, but "the government" wouldn't allow it. Khan believes Sigma may have

run afoul of some in the government in the conduct of her human rights advocacy, and may also have earned herself enemies. Regardless, Khan fears if something isn't done to address Sigma's medical needs, the government could have a serious problem on its hands. (NOTE: When Khan went to see Sigma in court after our meeting -- the first time she visited since Sigma was arrested -- Sigma accused Khan of not doing enough to help her, and refused to speak with her any further. END NOTE.)

PRISON SYSTEM "OVERWHELMED"

14. (C) According to BSEHR, the prison system has been overwhelmed by the number of VIP prisoners, which have multiplied under the state of emergency from a handful to over 200. For the first time, they are also faced with handling several female VIP prisoners, including the two former prime ministers. VIP prisoners require more attention, and more guards, than other prisoners, putting a strain on the system. Despite numerous requests, the IGP has not received additional manpower or resources from the government to cope with this situation. This manpower shortage also means there are not enough escorts to accompany VIP prisoners to private hospitals to seek medical care, hence the prison authorities' attempts to limit strictly the number of prisoners sent outside the prison for care. (NOTE: A recent meeting with the IG of Prisons will be reported septel. END NOTE.)

GOVERNMENT OVERREACH LED TO CURRENT TRAVAILS

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15. (C) Khan believes during the first six months of the caretaker government, it enjoyed the support of the people, but excesses since then have had an impact on its popularity. Rather than hone in on a realistic set of priorities, the government tried to do too much at once, setting expectations too high and then falling short. According to Khan, the attempt to play politics and divide the two parties distracted the government from its anti-corruption agenda and made it appear partisan.

DEATH IN CUSTODY ALLEGEDLY LINKED TO QUESTIONING

16. (C) Khan and POLOFF discussed the recent death in custody of Mohammad Quayyum Khan, a Bangladesh Nationalist Party (BNP) ward commissioner in Kafrul, a part of Dhaka abutting the military cantonment. According to BSEHR, Quayyum was arrested shortly after the state of emergency was declared in January 2007, and held for over a year without any specific charges being pressed. A court ordered his release in January 2008. Immediately upon release, he was re-arrested by police and handed over to the military cantonment in Dhaka for interrogation. He was transferred back to the Dhaka Central Jail. Quayyum, who suffered from a heart condition and diabetes, alleged to fellow prisoners he was beaten during questioning. On February 8 he collapsed and died at the prison. According to a fellow prisoner, before he collapsed Quayyum said he had been informed he was being transferred back to the cantonment for a further round of questioning.

COMMENT

17. (C) BSEHR is one of Bangladesh's most prominent human rights organizations and is an important source of information and statistics for the Human Rights Report. At the moment BSEHR appears to be on the defensive and suffering from low morale, the result of Sigma Huda's legal problems, the organization's own alleged illegal property deals, and Elena Khan's legal cases. Khan's frustration with the

mistakes of the government was palpable, in comparison to her more cautiously optimistic assessment last year. She put up a strong defense of the IGP, insisting the government and military were tying his hands to prevent him from helping Sigma, and she also expressed concern arrests were on the rise again.

Pasi